

Nos. 24-3188, 24-3559 & 24-4029

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

MI FAMILIA VOTA, et al.,
Plaintiffs-Appellees,
vs.

ADRIAN FONTES, et al.,
Defendants-Appellees,
and

REPUBLICAN NATIONAL COMMITTEE, et al.,
Intervenor-Defendants-Appellants.

On Appeal from the United States District Court
for the District of Arizona
Hon. Susan R. Bolton
Case No. 2:22-cv-00509-SRB (Consolidated)

DECLARATION IN SUPPORT OF APPELLANT'S REPUBLICAN NATIONAL
COMMITTEE, WARREN PETERSEN, AND BEN TOMA'S UNOPPOSED MO-
TION TO EXCEED THE PAGE OR TYPE-VOLUME LIMITS

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August 26, 2024

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Pursuant to Circuit Rule 32-2(a), I, Thomas Basile, declare as follows:

1. I am counsel for Appellants Republican National Committee, Arizona Senate President Warren Petersen, and Speaker of the Arizona House of Representatives Ben Toma (the “Republican Appellants”).
2. On July 29, 2024, the Republican Appellants filed the First Brief in these proceedings, which contained fewer than 14,000 words. The First Brief presented nine issues for the Court’s resolution. *See* ECF 101.1. The Attorney General’s appeal encompasses only one of these issues. *See* ECF 104.1.
3. On August 12, 2024, the various Plaintiffs-Appellees filed six response briefs, which collectively totaled approximately 75,000 words. *See* ECF 139.1, 142.1, 144.1, 146.1, 148.1, and 150.1.
4. In addition to containing lengthy responses to the arguments in the First Brief, the Plaintiffs-Appellees’ briefs raised a challenge to the Republican Appellants’ standing, *see* ECF 146.1 at 18-32, and contained a cross-appeal of the district court’s finding that one of the challenged laws was not motivated by a discriminatory purpose, *see* ECF 150.1.
5. Since receiving the Plaintiffs-Appellees’ briefs, the undersigned and his co-counsel have worked diligently in researching and drafting the Third Brief.
6. The expedited briefing schedule in this proceeding has limited the time available for further editing of the Third Brief.
7. An enlargement of the type-volume limit by 5,000 words will enable the Republican Appellants to adequately present their arguments on the important and consequential questions at stake in this proceeding.

8. Counsel for the Arizona Attorney General, the United States, and the Non-U.S. Plaintiffs/Appellees confirmed to the undersigned that they do not oppose the requested extension. The Secretary of State, the Maricopa County parties, the Navajo County parties, and the Yavapai County parties took no position. The remaining parties had not indicated a position as of the time of filing.
9. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated this 26th day of August, 2024.

/s/ Thomas Basile

Thomas Basile

Counsel for Republican Appellants

CERTIFICATE OF SERVICE

I certify that I electronically filed the attached Declaration on August 26, 2024, with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit using the Appellate Electronic Filing system.

/s/ Thomas Basile